

U.S. Department of Homeland Security

United States Coast Guard

Fifth Coast Guard District
LOCAL NOTICE TO MARINERS

Coastal Waters From Shrewsbury River, New Jersey to Little River, South Carolina

WEEKLY SUPPLEMENT

July 27, 2004

NIS watchstander, 24 hours a day at (703) 313-5900

INTERNET ADDRESS

[HTTP://www.navcen.uscg.gov](http://www.navcen.uscg.gov)

Weekly supplemental editions contain new information only available following the monthly edition. NOTE: Chart corrections and Light List changes appear only once each. A complete listing of current discrepancies and temporary changes appear in each issue. The Local Notice to Mariners is updated each Tuesday on the U.S. Coast Guard Navigation Center website at www.navcen.uscg.gov/lnm/d5. If you have questions about the LNM, contact:

COMMANDER, FIFTH COAST GUARD DISTRICT (oan)
431 Crawford Street, Portsmouth, Virginia, 23704-5004
Telephone (Day): (757)-398-6486. 24 Hour FAX: (757) 398-6303

BROADCAST NOTICE TO MARINERS

This section contains corrections to federal and private maintained Aids to Navigation, as well as NOS corrections. Navigation information having been of immediate concern to the Mariner and promulgated by the following Broadcast Notice to Mariners (BNM's) have been incorporated in this notice when still significant at the date of this publication.

CCGD5 (D5)	D5 500-03, 501-03, 333-04, 334-04, 335-04, 337-04, 338-04, 342-04 thru 347-04.
Group Philadelphia	PH 320-03, 321-03, 026-04, 045-04, 080-04, 086-04, 101-04, 178-04, 208-04, 215-04, 216-04, 217-04, 224-04, 229-04, 231-04, 246-04, 249-04.
Group Atlantic City	AC 145-04, 273-04, 276-04, 277-04, 278-04, 281-04, 282-04.
Activities Baltimore	BA 623-04, 638-04, 639-04, 640-04, 644-04 thru 649-04, 651-04, 653-04, 654-04.
Group Eastern Shore	ES 129-04.
Group Hampton Roads	HR 332-04, 333-04, 335-04, 336-04, 337-04, 338-04, 344-04, 345-04, 346-04, 347-04, 353-04 thru 360-04.
Group Cape Hatteras	CH 124-04, 126-04, 127-04, 131-04, 138-04, 139-04, 142-04, 144-04.
Group Fort Macon	FM 270-04, 272-04 thru 276-04.

REFERENCES

Light List Reference: ATLANTIC COAST, VOLUME II, COMDTPUB P16502.2, 2004 Edition

U.S. Coast Pilot 3, Atlantic Coast: Sandy Hook to Cape Henry (37th) Edition

U.S. Coast Pilot 4, Atlantic Coast: Cape Henry to Key West (35th) Edition

All bearings are in degrees TRUE – All times are in Local Time unless otherwise noted.\

NAVIGATION INTERNET SITES

Chart Corrections:	http://chartmaker.ncd.noaa.gov and http://www.maptech.com
2004 Light List/ Summary of Corrections	http://www.navcen.uscg.gov/pubs/LightLists/LightLists.htm
Coast Pilot Corrections:	HTTP://nauticalcharts.noaa.gov/ncd/cpdownload.htm
D5 LNM on Internet/Archived Back Issues for 2004:	HTTP://www.navcen.uscg.gov/lnm/d5
Chesapeake Bay Weather Buoys:	Http://www.cbos.org/client.cgi
NOAA Weather Buoy sites:	http://seaboard.ndbc.noaa.gov/Maps/wrldmap.shtml
Tides On Line:	http://www.tidesonline.nos.noaa.gov
Tides, Currents, PORTS:	http://www.co-ops.nos.noaa.gov
ACOE Wilmington NC Navigation Link for NC portions Of the AAICW and coastal inlet depths (updated weekly)	http://www.saw.usace.army.mil/nav/Depths/shoaling3-10-04.pdf
Weather:	http://www.intellicast.com/
LANTAREA/ District 5 Local Notice To Mariners for correspondence:	http://d5local@lantd5.uscg.mil

I. SPECIAL NOTICES: This section contains information of special concern to the Mariner.

FIFTH COAST GUARD DISTRICT WATERS – INCREASED THREAT LEVEL

The U.S. Coast Guard is asking for assistance from all mariners to be on the lookout while they are transiting the local waterways. The Department of Homeland Security and Coast Guard are asking you report any suspicious or peculiar activity that you may observe. Please make all reports to the U.S. Coast Guard via VHF-FM CH 16 or by using your cell phone to dial 911, to the National Response Center (NRC) at 1-800-424-8802 or to the DHS Watch and Warning unit at (202) 323-3205.

CHESAPEAKE BAY REGULATED NAVIGATION AREA (RNA) REQUIREMENTS FOR PORT ENTRY/TRANSIT/DEPARTURE.

Mariners have been advised that there has been an amendment to the **Chesapeake Bay Regulated Navigation Area** which requires all vessels 300 gross tons and over, including tug and barge combined, to obtain permission prior to entering, departing, and/or moving within the **Regulated Navigation Area**. To obtain permission, vessels shall contact the **Joint Harbor Operations Center (JHOC)** prior to entry or movement via Channel 12, or 13/16 VHF-FM and relay vessel documentation number, IMO number or VIN for verification. This includes entries from offshore, James River, Chesapeake Bay or Intracoastal Waterway. Alternate JHOC phone numbers are (757) 444-5210/5209. If the JHOC cannot be reached, the Captain of the Port (COTP) Command Duty Officer may be reached at (757) 668-5555.

REQUIRED BALLASTWATER MANAGEMENT REPORTS FOR VESSELS OPERATING OUTSIDE THE EEZ

Mariners are reminded that in accordance with 33 CFR 151.2040, all vessels which carry ballast water, including residual ballast water and sediments, are asked to submit a Ballast Water Management Report after operating outside the EEZ at their first port of call in U.S. waters. These reports may be transmitted electronically to <http://invasions.si.edu/ballast.htm>, e-mailed to ballast@serc.si.edu, faxed to Commandant, U.S. Coast Guard, c/o the NBIC at **301-261-4319**, or mailed to U.S. Coast Guard, c/o Smithsonian Environmental Research Center (SERC), P.O. Box 28, Edgewater, MD 21037-0028.

NJ – DE – PA – DELAWARE RIVER – REEDY ISLAND

The Coast Guard has received a report of a lost anchor and wire in the vicinity of Reedy Island Anchorage #3 in position 39°-30'.6N, 075°-32'.6W. Mariners are advised to use extreme caution while transiting this area. **Chart 12311.**

MD-CHESAPEAKE BAY-SEVERN RIVER-SPA CREEK – ANNAPOLIS BOAT SHOW

Annapolis Boat Shows, Inc. will conduct its annual U. S. Sailboat and Powerboat Shows in Annapolis Harbor from Thursday, October 7 through Sunday October 17, 2004. In support of these events, temporary pilings, floating docks and submerged electrical cables will be placed in the northwestern quadrant of Annapolis Harbor beginning on Monday, October 4, 2004, and will remain in place through Wednesday, October 20, 2004. In addition, mariners are advised that special anchoring restrictions in the harbor will be in affect in the event of severe weather during this period. For any comments or questions, contact the Annapolis City Harbormaster's office, on marine radio VHF-FM Channel 17, or at telephone number (410) 263-7973. **Chart 12283.**

VA – MD - POTOMAC RIVER - LOWER CEDAR POINT TO MATTAWOMAN CREEK – WATERWAY RESTRICTION

Mariners are advised that a fireworks display is scheduled to occur from a fireworks discharge barge located on the Potomac River, near Fairview Beach, Virginia on **August 14, 2004**. A temporary safety zone becomes effective from **8 p.m. to 10:30 p.m. on Saturday, August 14, 2004** (with a rain date of **August 28, 2004**) on the waters of the Potomac River, surface to bottom, enclosed within a 600 foot radius around the position 38° 20' 30" N, 077° 14' 30" W. This safety zone is necessary to control vessel traffic for the safety of life and property on navigable waters during the event. The effect will be to restrict vessel traffic on the Potomac River. All vessels and persons are prohibited from entering this zone, except as authorized by the Coast Guard Captain of the Port, Baltimore, Maryland. Persons or vessels requiring entry into or passage within the zone must request authorization from the Captain of the Port or his designated representative by telephone at (410) 576-2693 or by radio on VHF-FM channel 16. All Coast Guard assets enforcing this safety zone can be contacted on VHF marine band radio, channels 13 and 16. The operator of any vessel within or in the immediate vicinity of this safety zone shall stop the vessel immediately upon being directed to do so by any commissioned, warrant or petty officer on board a vessel displaying a Coast

Guard Ensign, and proceed as directed. The U.S. Coast Guard may be assisted in the patrol and enforcement of the zone by Federal, State, and local agencies. Contact Mr. Ron Houck for any comments or questions, at Commander, Coast Guard Activities Baltimore, telephone number (410) 576-2674.
Chart 12288

VA/MD – POTOMAC RIVER – WOODROW WILSON BRIDGE – BRIDGE INFO

Mariners are advised that construction of the new Woodrow Wilson Memorial Drawbridge across the Potomac River, mile 103.8, between the City of Alexandria, Virginia and Oxon Hill, Maryland is ongoing until 2010. Excessive speed and wake by boaters may cause serious or fatal incidents to the Bridge project. It is crucial that mariners obey the speed restrictions and eliminate wakes through the work zone due to the sensitive and precise nature of the work and for worker safety. A temporary floating/sliding bridge will be in place in the waterway during drawbridge construction until further notice. There will be intermittent day-time channel restrictions as a result of the floating bridge and mariners are urged to listen to the BNM's for updates of it's position in the waterway. Mariners are also urged to use extreme caution when transiting this area for work barges, exposed piles, and anchor buoys. For further information and updates to construction operations, contact Mr. Mike Baker, Environmental Construction Manager for the Woodrow Wilson Bridge Project at 301-567-0094 Ext 242 or visit the Project's website online at www.wilsonbridge.com. **Charts 12285 & 12289.**

VA – ATLANTIC INTRACOASTAL WATERWAY (AICWW) – ALBEMARLE AND CHESAPEAKE CANAL – BRIDGE INFO

Mariners are advised that the Great Bridge Bridge, crossing the AICWW, Albemarle and Chesapeake Canal, mile 12.0, in Chesapeake, Virginia will have the horizontal clearance of the fender system reduced from 80 feet to 73 feet, until further notice. This change is due to the construction of the new Great Bridge Bridge. **Chart 12207.**

VA – COASTAL/VIP – QUINBY INLET - SHOALING

Shoaling has been reported in the vicinity of Quinby Channel Daybeacon 2 (LLNR 6737) to a depth of less than 1 foot MLW. Mariners are advised to use extreme caution when transiting this area. **Chart 12210.**

VA – COASTAL – U.S. NAVAL BASE DAM NECK, VIRGINIA BEACH – SMALL ARMS RANGE LIVE FIRE SCHEDULE

All vessel operators are reminded to review Navigation Regulations as described in paragraph 334.380 of Chapter 2, of **U.S. Coast Pilot 4, Atlantic Coast: Cape Henry to Key West** when operating south of the entrance to the Chesapeake Bay, off the Dam Neck Naval Firing Range. When firing is in progress during daylight hours, red flags will be displayed at conspicuous locations on the beach at the facility. Vessels shall proceed through the area with caution and shall remain in the area no longer than necessary for transit. **Charts: 12203, 12205, 12207 & 12221.**

The U.S. Naval Base Dam Neck Live Fire Range will be active during the following periods:

July 26-30, 2004 from 6:00 a.m. to 1:00 p.m.

Aug 16-20, 2004 from 6:00 a.m. to 1:00 p.m.

Sep 16-17, 2004 from 6:00 a.m. to 1:00 p.m.

Sep 20-24, 2004 from 6:00 a.m. to 1:00 p.m.

Sep 27-30, 2004 from 6:00 a.m. to 1:00 p.m.

Night live fire operations will be commence at 4:30 a.m. and last approximately 90 minutes on the following dates:, 30 July, 19-20 July, 27 August, 23-24 September and 29-30 September.

NC – COASTAL- BOGUE INLET TO NEW RIVER INLET AND NEW RIVER (AICWW) – Firing Exercises

The Commanding General, Marine Corps Base Camp Lejeune, North Carolina has advised that the danger zone (depicted as 334.440) as shown on National Ocean Service **Chart 11543**, and AICWW at New River may be hazardous to navigation due to field firing exercises. Firing exercises are scheduled daily. For additional information concerning specific dates and times refer to Monthly. **LNM 27/04.**

II. DISCREPANCIES: This section lists all discrepancies to Aids to Navigation and those corrected since the last published list. A discrepancy is a change in the status of an aid to navigation that differs from what is published and or charted.

DISCREPANCY ABBREVIATIONS

AC= Group Atlantic City	BA= Activities Baltimore	BNM= Broadcast Notice to Mariners
CH= Group Cape Hatteras	DBD= Dayboard	DBN= Daybeacon
DEST= Destroyed	ES= Group Eastern Shore	EXT= Extinguished
FM= Group Fort Macon	IMCH= Improper Characteristics	INOP= Inoperative
LNM= Local Notice to Mariners	LT= Light	OFF STA= Off Station
PH= Group Philadelphia	SHL= Shoaling	TRLB= Temporary Lighted Buoy
TRUB= Temporary Unlighted Buoy	TRLT= Temporary Light	

FEDERAL AIDS DISCREPANCIES As of 0800 a.m. 27 July, 2004.

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNM Ref.
120	Five Fathom Bank Lighted Buoy F	LT EXT	13003	0227AC	26/04
180	Delaware Traffic Lane Lighted Buoy DC	LT EXT	12200	0281AC	30/04
330	Great Machipongo Inlet Lighted Whistle Buoy GM	BUOYDMGD	12221	0112ES	24/04
465	Chesapeake Bay Southern Approach Lighted Buoy 11	LT EXT	12200	0355HR	30/04
505	Rudee Inlet Jetty Light 4	LT EXT	12200	0142HR	10/03
510	Rudee Inlet Jetty Daybeacon 5	DBN DEST	12221	0502HR	49/02
820	Frying Pan Shoals Slough Approach LWB SA	LT IMCH	11520	0316D5	27/04
865	Lockwoods Folly Inlet Lighted Whistle Buoy LW	LT EXT	11534	NONEFM	26/04
1195	Absecon Inlet Breakwater Light 7	DBN DEST	12318	0388AC	42/03
1550	Delaware Bay Main Channel Lighted Bell Buoy 12	LT IMCH	12214	0282AC	30/04
1620	Delaware Bay Main Channel Light 32	LT EXT	12304	0278AC	30/04
1675	Cape May Canal West Entrance North Jetty Light 11	FS INOP	12214	0183AC	20/04
1970	Nantuxent Point Light	TRLB	12304	0141AC	16/04
2115	Rehoboth Bay Channel Light 9	TRLB	12216	0035ES	06/04
2125	Rehoboth Bay Daybeacon 12	MISSING	12214	0023ES	06/04

2148	Rehoboth Bay Channel Daybeacon 19	TRUB	12216	0048ES	09/04
2430	Collins Beach Light 2	TRLB	12304	0080PH	07/04
2440	Collins Beach Daybeacon 4	TRLB	12304	0086PH	08/04
2660	Salem River Entrance Channel Range Rear Light	LT DIM	12277	0223PH	27/04
2720	New Castle Range Lighted Gong Buoy 1N	LT EXT	12311	0242PH	29/04
3840	Enterprise Upper Range Front Light	LT DIM	12314	0304PH	34/03
3845	Enterprise Upper Range Rear Light	LT DIM	12314	0305PH	34/03
4400	Indian River Inlet Buoy 11	BUOYSINK	12214	0123ES	27/04
4420.1	Indian River Inlet Daybeacon 17A	TRLB	12214	0018ES	05/04
4430	Indian River Junction Light IR	TRLB	12216	0013ES	07/04
4445	Pepper Creek Daybeacon 2	TRUB	12216	0043ES	09/04
4470	Pepper Creek Buoy 10	TRLB	12216	0101ES	22/04
4840	Isle of Wight Bay Daybeacon 7	TRUB	12211	0100ES	21/04
4867	Isle of Wight Bay Buoy 12A	OFF STA	12211	0117ES	25/04
4995	Sinepuxent Bay Daybeacon 1	TRUB	12211	0083ES	17/04
5015	Sinepuxent Bay Channel Daybeacon 6	TRUB	12211	NONEHR	11/04
5105	Sinepuxent Bay Channel Daybeacon 27	TRUB	12211	NONEHR	11/04
5140	Sinepuxent Bay Channel Daybeacon 37	TRUB	12211	NONEHR	11/04
5145	Sinepuxent Bay Channel Light 39	TRLB	12211	NONEHR	11/04
5195	Chincoteague Bay Daybeacon 29	TRUB	12211	0060ES	11/04
5200	Chincoteague Bay Light 28	TRLB	12211	0045ES	09/04
5205	Chincoteague Bay Daybeacon 26	TRUB	12211	0058ES	10/04
5215	Chincoteague Bay Daybeacon 23	TRUB	12211	0058ES	10/04
5220	Chincoteague Bay Light 21	TRLB	12211	0045ES	09/04
5235	Chincoteague Bay Daybeacon 19	TRUB	12211	0058ES	10/04
5240	Chincoteague Bay Light 18	TRLB	12211	NONEHR	16/04
5245	George Island Landing Channel Light 1	TRLB	12211	NONEHR	11/04
5365	Chincoteague Channel Warning Daybeacon	TRUB	12210	0042ES	07/04
5405	Chincoteague Channel Daybeacon 30	TRUB	12210	0091ES	19/04
5415	Chincoteague Bay Channel Light 3	TRLB	12211	0074ES	15/04
5425	Chincoteague Bay Channel Daybeacon 6	TRUB	12211	0040ES	07/04
5440	Chincoteague Bay Daybeacon 10	TRLB	12211	0076ES	15/04
5450	Chincoteague Bay Channel Daybeacon 14	TRUB	12211	0045ES	09/04
5475	Chincoteague Bay Daybeacon 16	TRUB	12211	0045ES	09/04
5477	Chincoteague Bay Daybeacon 16A	TRUB	12211	0045ES	09/04
5485	Chincoteague Bay Daybeacon 19	TRUB	12211	0058ES	10/04
5487	Chincoteague Bay Daybeacon 20	TRUB	12211	0057ES	10/04
5520	Virginia Inside Passage Daybeacon 1	TRUB	12210	NONEHR	11/04
5635	Virginia Inside Passage Daybeacon 16	TRUB	12210	0036ES	07/04
5665	Virginia Inside Passage Daybeacon 24	TRUB	12210	0121ES	26/04
5773	Virginia Inside Passage Buoy 55A	OFF STA	12210	0110ES	23/04
5825	Virginia Inside Passage Daybeacon 72	TRUB	12210	0165ES	42/03
5835	Virginia Inside Passage Daybeacon 75	TRUB	12210	0037ES	07/04
5845	Virginia Inside Passage Daybeacon 77	TRUB	12210	NONEHR	11/04
6105	Virginia Inside Passage Daybeacon 151	TRUB	12210	0116ES	25/04
6139	Virginia Inside Passage Daybeacon 158A	TRUB	12210	0070ES	13/04
6155	Virginia Inside Passage Daybeacon 162	TRUB	12210	NONEHR	25/04
6360	Virginia Inside Passage Daybeacon 216	TRUB	12224	0152ES	39/03
6388	Virginia Inside Passage Daybeacon 220	TRUB	12221	NONEHR	11/04
6475	Virginia Inside Passage Daybeacon 240	TRLB	12224	0434HR	32/03
6485	Virginia Inside Passage Daybeacon 244	DBN DMGD	12221	0026ES	06/04
6570	Virginia Inside Passage Daybeacon 263	TRUB	12221	0012ES	04/04
6575	Virginia Inside Passage Daybeacon 264	TRUB	12224	0206ES	51/03
6590	Virginia Inside Passage Light 267	DBN DMGD	12221	NONEHR	11/04
6790	North Inlet Light 1	TRLB	12210	NONEHR	11/04
6800	Great Machipongo Inlet Lighted Whistle Buoy GM	BUOYDMGD	12210	0112ES	24/04
6991	Sand Shoal Channel Daybeacon 3	TRUB	12224	0542HR	39/03
7020	Oyster Channel Light 8	LT EXT	12210	0125ES	28/04
7245	Old Plantation Flats Light	DBN DMGD	12280	0350HR	30/04
7290	Rappahannock Shoal CH S. Range FT LT	LT EXT	12225	0297HR	26/04
8030	Craighill Channel Lighted Buoy 6	LT EXT	12273	0633BA	29/04
8035	Baltimore Light	LT EXT	12282	0655BA	30/04
8880	Howell Point Light	LT EXT	12273	0536BA	23/04
9565	Norfolk International Terminal Daybeacon 6	TRUB	12206	0344HR	30/04
11700	James River Channel Light 24	TRLB	12248	0294HR	25/04
12220	James River Lighted Buoy 62	LT DIM/DBN IMCH	12251	0235HR	20/04
12420	Jordan Point Range Rear Light	LT EXT	12251	0160HR	15/04
12530	James River Channel Light 120	TRLB	12251	0445HR	33/03
12600	James River Channel Light 121	LT EXT	12252	0331HR	29/04
13025	Back River Channel Daybeacon 12	TRUB	12222	0250HR	22/04
13490	York Spit Warning Daybeacon	TRUB	12280	0099HR	09/04
13494	York River Lighted Buoy 17	LT EXT	12280	0354HR	30/04
13550	York River West Range Front Light	TRLB	12238	0542HR	40/03
13555	York River West Range Rear Light	LT IMCH	12238	0239HR	21/04

13925	Upper York River Light 13	LT EXT	12243	0360HR	30/04
15460	Totuskey Creek Daybeacon 2A	TRUB	12237	0207HR	18/04
15470	Totuskey Creek Daybeacon 5	TRUB	12237	0208HR	18/04
15550	Rappahannock River Buoy 22	TRUB	12237	NONEHR	13/04
15720	Rappahannock River Daybeacon 60	TRUB	12237	0027HR	05/04
15725	Rappahannock River Daybeacon 62	TRUB	12237	0028HR	05/04
15735	Rappahannock River Daybeacon 64	TRUB	12237	0029HR	04/04
15785	Rappahannock River Daybeacon 78	TRUB	12237	0075HR	07/04
16895	Bonum Creek Daybeacon 5	DBN IMCH	12285	0451BA	18/04
16985	Bransons Cove Daybeacon 1B	BUOYDMGD	12285	0653BA	30/04
17205	Dukeharts Channel Daybeacon 9	MISSING	12285	0551BA	24/04
17210	Dukeharts Channel Daybeacon 10	MISSING	12286	0552BA	24/04
17330	Wicomico River Daybeacon 13W	TRUB	12286	0312BA	09/04
17770	Port Tobacco River Light 1	TRLB	12285	0457BA	18/04
17825	Upper Potomac River Light 8	DBN DMGD	12288	0638BA	30/04
17920	Potomac Creek Daybeacon 3	TRUB	12285	NONEBA	13/04
18280	Occoquan River Channel Daybeacon 7	TRLB	12289	542BA	24/04
18810	St. Jerome Creek Light 4	TRLB	12230	0300BA	09/04
18880	Patuxent River Light 3	DBN DMGD	12284	0554BA	24/04
20320	Bodkin Creek Approach Daybeacon 5	DBN DEST	12273	0223BA	07/04
20335	Bodkin Creek Daybeacon 9	TRUB	12273	0188BA	07/04
20675	Bear Creek Entrance Light 3	DBN DEST	12281	0190BA	07/04
21430	Cherrystone Channel Light 2	LT EXT	12221	0305HR	27/04
21435	Old Plantation Flats Light	DBN DMGD	12280	0350HR	30/04
21440	Cape Charles City Range A Front Light	DBN DMGD	12221	0180HR	16/04
21450	Cape Charles City Light 1	TRLB	12280	0347HR	30/04
22120	Chesconessex Creek Approach Buoy	MISSING	12210	0527BA	23/04
22330	Muddy Creek Daybeacon 1	MISSING	12228	0598BA	27/04
22335	Muddy Creek Daybeacon 3	TRLB	12225	0598BA	27/04
22580	Pocomoke River Channel Buoy 18	OFF STA	12230	0512BA	22/04
22990	Rhodes Point Gut Channel Daybeacon 1	TRUB	12225	0340BA	40/02
23145	Tyler Creek Channel Daybeacon 9	TRLB	12231	0002BA	02/04
23185	Sheep Pen Gut Warning Daybeacon C	MISSING	12230	0615BA	28/04
23300	Big Annemessex River Light 6	TRLB	12231	0312BA	09/04
23380	Manokin River Light 2	MISSING	12230	0454BA	18/04
23430	Manokin River Daybeacon 9	TRLB	12231	0312BA	09/04
23495	Lower Thorofare Channel Light 2	FS INOP	12230	0434BA	16/04
23495	Lower Thorofare Channel Light 2	TRLB	12231	0312BA	09/04
23645	Sharkfin Shoal Channel Range Front Light	TRLB	12230	0493BA	21/04
23650	Sharkfin Shoal Channel Range Rear Light	TRLB	12261	0312BA	09/04
23795	Webster Cove Channel Buoy 1	OFF STA	12230	0654BA	30/04
24400	Goose Creek Light 1	TRLB	12261	0312BA	09/04
24410	Fishing Bay Light 3	TRLB	12230	0312BA	11/04
24470	Hearns Cove Channel Light 5	TRLB	12261	0312BA	09/04
24525	Honga River Light 12	TRLB	12230	0312BA	09/04
24580	Tar Bay Channel Light 1	TRLB	12280	0400BA	14/04
24620	Tyler Cove Channel Daybeacon 1	MISSING	12261	0639BA	30/04
24695	Brooks Creek Daybeacon 2	TRLB	12263	0407BA	15/04
25200	Choptank River Channel Daybeacon 47	TRLB	12268	0502BA	22/04
25510	Irish Creek Buoy 2	TRUB	12263	0410BA	15/04
25525	Irish Creek Daybeacon 6	TRUB	12266	0220BA	14/01
25530	Broad Creek Light 1	DBN IMCH	12263	0560BA	25/04
25555	Balls Creek Daybeacon 4	TRLB	12266	0425BA	16/04
26865	Swan Creek Entrance Buoy 5	OFF STA	12272	0644BA	30/04
26870	Swan Creek Entrance Light 6	TRLB	12278	0648BA	30/04
27000	Harts Island Channel Light 1	TRLB	12273	0478BA	20/04
27010	Harts Island Channel Daybeacon 3	TRUB	12278	0438BA	17/04
27050	Back River Light 3	TRLB	12273	0456BA	18/04
27325	Bush River Light 5	TRLB	12274	0318BA	10/04
27540	Aberdeen Proving Ground Buoy 5	TRUB	12273	0576BA	26/04
28335	Walter Slough Daybeacon 8	TRUB	12205	0141CH	30/04
28495	Roanoke Sound Channel Daybeacon 24A	TRUB	12204	0123CH	27/04
28735	Hatteras Inlet Light 13	TRLB	11555	0138CH	29/04
28740	Hatteras Inlet Channel Daybeacon 15	TRUB	11555	0113CH	26/04
29140	Barden Inlet Light 1	TRLB	11543	NONEFM	04/04
29170	Barden Inlet Buoy 6	OFF STA	11545	0277FM	30/04
29665	New River Inlet Buoy 3	OFF STA	11541	0244FM	27/04
29987	New Topsail Inlet Buoy 2A	OFF STA	11543	0270FM	30/04
30010	New Topsail Inlet Lighted Buoy 5	TRUB	11541	NONEFM	09/04
30130	Banks Channel Daybeacon 19	TRUB	11541	0237FM	27/04
30305	Carolina Beach Inlet Buoy 9	MISSING	11534	0264FM	29/04
30390	Smith Island Rear Range Light	LT EXT	11534	0274FM	30/04
30603	Sunny Point Terminal Lighted Buoy 10C	LT EXT	11537	0259FT	28/04
30665	Cape Fear Channel Lighted Buoy 30	TRLB	11534	NONEFM	04/04

30835	Cape Fear River Channel Light WR 57	MISSING	11537	NONEFM	13/04
31665	Kendrick Creek Channel Daybeacon 2	MISSING	12205	0143CH	30/04
32470	Lower Middle Ground Light LM	DBN DEST	11548	0236FM	27/04
33245	Gaylord Bay Ferry Terminal Channel Light 1	TRLB	11554	0220FM	24/04
33505	Raccoon Island North Daybeacon	MISSING	11541	NONEFM	50/03
34320	Harbor Island Warning Daybeacon	DBN DMGD	11550	0102FM	10/03
34345	Core Sound Channel Light 5	TRLB	11544	0387FM	27/04
34375	Core Sound Light 13	TRLB	11550	0427FM	40/03
34395	Core Sound Daybeacon 18A	TRUB	11544	0362FM	35/03
34455	Core Sound Light 19	TRLB	11544	0179FM	19/04
34460	Core Sound Light 19A	TRLB	11550	0448FM	42/03
34485	Core Sound Daybeacon 23	TRUB	11544	0363FM	35/03
34545	Core Sound Light 28	TRLB	11544	0401FM	39/03
34770	North River Warning Light	DBN DMGD	11545	0527FM	49/03
35050	New Jersey Intracoastal Waterway Daybeacon 21	TRLB	12324	0151AC	17/04
35080	New Jersey Intracoastal Waterway Light 29	TRLB	12324	0130AC	15/04
35120	New Jersey Intracoastal Waterway Light 39	DBN DMGD	12324	0259AC	29/04
35320	New Jersey Intracoastal Waterway Daybeacon 82	TRLB	12324	0113AC	13/04
35875	New Jersey Intracoastal Waterway Daybeacon 223	MISSING	12316	0416AC	45/03
35895	New Jersey Intracoastal Waterway Light 230	TRLB	12316	NONE	29/04
36015	New Jersey Intracoastal Waterway Daybeacon 265	TRUB	12316	NONE	29/04
36055	New Jersey Intracoastal Waterway Daybeacon 277	DBN DMGD	12316	0121AC	13/04
36240	New Jersey Intracoastal Waterway Daybeacon 330	DBN DMGD	12316	0238AC	26/04
36535	New Jersey Intracoastal Waterway Buoy 424	OFF STA	12316	0228AC	26/04
36610	New Jersey Intracoastal Waterway Light 445	TRLB	12316	NONE	29/04
36790	Cape May Canal West Entrance North Jetty Light 11	FS INOP	12304	0183AC	20/04
37530	Great Bridge Albemarle Sound Daybeacon 89	TRLB	12207	0231HR	20/04
38400	Core Creek Range Front Light	TRLB	11541	0116FM	12/03
38407	Core Creek Light 24	TRLB	11545	NONEFM	06/04
38890	Bogue Sound Light 13	LT EXT	11541	0278FM	30/04
39230	Bogue Sound/New River Light 64	LT EXT	11541	0273FM	30/04
39545	New River/Cape Fear River Light 98	TRLB	11541	0249FM	27/04
39880	New River/Cape Fear River Light 177	TRLB	11534	0246FM	27/04
39910	Cape Fear Channel Lighted Buoy 30	TRLB	11537	NONEFM	04/04

FEDERAL AIDS DISCREPANCIES CORRECTED Since LNM 29/04.

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNM Ref.
680	Cape Lookout Shoals Lighted Buoy 2	WATCHING PROPERLY	11520	0248FM	27/04
1460	Cape May Harbor Range Rear Light	RELIGHTED	12317	263AC	29/04
3325	Billingsport Range Rear Light	WATCHING PROPERLY	12312	0248PH	30/04
3430	Schuylkill River Entrance Fog Signal	WATCHING PROPERLY	12312	0245PH	30/04
6810	Great Machipongo Inlet Buoy 3	RESET ON STATION	12221	0109ES	23/04
8105	Craighill Channel Lighted Buoy 19	RELIGHTED	12273	0642BA	30/04
8215	Fort McHenry Channel Lighted Buoy 1M	WATCHING PROPERLY	12281	0636BA	29/04
8630	Upper Chesapeake Channel Lighted Buoy 36	RELIGHTED	12273	0633BA	29/04
9375	Norfolk Entrance Reach Range Rear Light	RELIGHTED	12256	0351HR	30/04
10610	Willoughby Bay Channel Daybeacon 15	REBUILT/RECOVERED	12222	0327HR	29/04
13400	York River Entrance Channel Lighted Gong Buoy 2	RELIGHTED	12222	0343HR	30/04
13496	York River East Range Front Light	WATCHING PROPERLY	12221	0340HR	29/04
13497	York River East Range Rear Light	RELIGHTED	12241	0341HR	29/04
13580	York River Lighted Buoy 24	WATCHING PROPERLY	12241	0339HR	29/04
13940	Upper York River Light 17	RELIGHTED	12243	0358HR	30/04
14010	Upper York River Light 29	RELIGHTED	12243	0359HR	30/04
15115	Rappahannock River Entrance Light 9R	RELIGHTED	12225	0348HR	30/04
19085	Patuxent River Light 8	WATCHING PROPERLY	12284	0634BA	29/04
19595	Selby Bay Light 4	RELIGHTED	12263	0650BA	30/04
21205	Ferry Bar Channel Lighted Buoy 1 FB	RELIGHTED	12281	0632BA	29/04
22580	Pocomoke River Channel Buoy 18	RESET ON STATION	12228	0630BA	29/04
22585	Pocomoke River Buoy 19	WATCHING PROPERLY	12230	0631BA	29/04
26440	Kent Island Narrows Northern Approach Light 8	WATCHING PROPERLY	12270	0629BA	29/04
26510	Chester River Lighted Buoy 6	RELIGHTED	12272	0628BA	29/04
27055	Back River Light 5	RELIGHTED	12273	0652BA	30/04
28570	Roanoke Sound Channel Daybeacon 31	WATCHING PROPERLY	12204	0137CH	29/04
29390	Beaufort Inlet Channel Lighted Buoy 17	WATCHING PROPERLY	11547	0268FM	29/04
30490	Snows Marsh Channel Range Rear Light	RELIGHTED	11534	0271FM	30/04
31800	Chowan River Light 5	RELIGHTED	12205	0132CH	28/04
31825	Chowan River Light 13	RELIGHTED	12205	0133CH	28/04
31845	Chowan River Light 19	RELIGHTED	12205	0134CH	28/04
31855	Chowan River Light 22	RELIGHTED	12205	0135CH	28/04
32375	Royal Shoal Light 5RS	RELIGHTED	11548	0145CH	30/04
36305	New Jersey Intracoastal Waterway Light 349	RELIGHTED	12316	0273AC	29/04
37810	Great Bridge Albemarle Sound Light 170	WATCHING PROPERLY	11553	0140CH	30/04

39685	New River/Cape Fear River Light 145	RELIGHTED	11534	0269FM	29/04
39975	Snows Marsh Channel Range Rear Light	RELIGHTED	11534	0271FM	30/04

PRIVATE AIDS DISCREPANCIES As of 0800 a.m. 27 July, 2004.

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNM Ref.
575	NAVAIR COMBAT MANEUVRNG RANGE TWR LT	LT EXT	12200	0175D5	17/04
1145	Marshelder Channel Buoy 2	MISSING	12316	0449AC	50/03
2119.19	Herring Creek Daybeacon 19	DBN DEST	12216	0140ES	34/03
3280	Eddystone Generating Station Range Rear Light	LT EXT	12312	0217PH	26/04
4880	Thorofare Channel Buoy 4	MISSING	12211	0117ES	29/03
4905	Thorofare Channel Buoy 12	OFF STA	12211	0110ES	47/00
4915	Thorofare Channel Buoy 15	MISSING	12221	0031ES	20/02
4920	Thorofare Channel Buoy 16	MISSING	12211	0032ES	20/02
5457	Greenbackville SAV Sanctuary Daybeacon A	MISSING	12211	0040ES	07/04
5457.1	Greenbackville SAV Sanctuary Daybeacon B	MISSING	12211	0040ES	07/04
9730	Elizabeth River Deperming Range Obstruction Light	DBN DMGD	12253	0566HR	40/03
10186.5	Lynnhaven River Daybeacon 3LR	DBN DEST	12222	0147HR	18/02
10225	Lynnhaven River-Western Branch Daybeacon 10	DBN DEST	12254	0271HR	24/04
10335	Long Creek Channel Daybeacon 2 LE	DBN DEST	12222	0033HR	04/03
12616	Weanack Channel Entrance Lighted Buoy 2WC	LT EXT	12252	0332HR	29/04
13070	Harris River Approach Daybeacon 8	DBN DMGD	12238	0226HR	19/04
13575	Virginia Power Underwater Obstruction Light A	LT EXT	12238	0266HR	23/04
15980	Delco Moraine Lighted Obstruction Buoy	MISSING	12233	0523HR	45/01
16845	Mill Creek Daybeacon 2	DBN DMGD	12233	0142BA	05/01
17845	Nanjemoy Creek Daybeacon 5	DBN DEST	12288	0205BA	07/04
18012.5	Aquia Creek Daybeacon 18	MISSING	12285	0197BA	26/02
18430	Little Hunting Creek Lighted Buoy 4	OFF STA	12289	0366BA	18/03
18850	Buzz's Marina Channel Daybeacon 6	DBN DEST	12233	0296BA	12/03
18860	N.A.S. Paxtuxent River Basin Entrance Light 2	DBN DMGD	12233	0337BA	24/01
18865	N.A.S. Patuxent River Basin Entrance Light 1	DBN DMGD	12233	0338BA	24/01
20210	Forked River Daybeacon 2	DBN DMGD	12282	0594BA	39/03
20235	Blackhole Creek Light 2	DBN DMGD	12282	0594BA	39/03
20360	Patapsco River 1/2 Measured Mile Marker Buoy A	OFF STA	12281	0572BA	25/04
20430	Pennwood Channel Range Front Light	LT EXT	12278	0581BA	26/04
20435	Pennwood Channel Range Rear Light	LT IMCH	12278	0422BA	16/04
20545	Sparrow Pt. Steel Work Ch. Range Front Light	LT EXT	12278	0302BA	36/02
20705	Sollers Point Daybeacon 1	LT EXT	12281	0732BA	52/03
20760	HAW Generating Plant Channel Buoy 7	BUOYSINK	12278	0594BA	39/03
20805	Hawkins Point Pier Buoy 2	OFF STA	12278	0103BA	18/02
21425	Kiptopeke Beach Breakwater North Light B	LT EXT	12221	0676D5	49/01
22415	POCOMKE SND ST BNDRY LINE DBN E	BUOYSINK/BUOYDMGD	12228	0220BA	07/04
22420	POCOMKE SND ST BNDRY LINE DBN F	MISSING	12228	0292BA	09/04
22435	POCOMKE SND ST BNDRY LINE DBN J	MISSING	12228	0293BA	09/04
23575	Dorchester/Somerset County Line Marker AA	DBN DEST	12231	0322BA	10/04
23665	Dorchester/Somerset County Line Marker CC	DBN DEST	12231	0324BA	10/04
24937	UMCES Lighted Buoy CR (Choptank River)	OFF STA/LT EXT	12263	0234BA	07/04
25020	Cambridge Channel Range Front Light	LT EXT	12268	0382BA	46/02
25025	Cambridge Channel Range Rear Light	LT EXT	12268	0383BA	46/02
26270	Cox Creek Daybeacon 4	DBN DEST	12263	0312BA	09/04
26343.3	Greenwood Creek Buoy 4	OFF STA	12263	0411BA	24/03
27900	Upper Elk River Buoy 2	MISSING	12274	0013BA	03/04
27905	Upper Elk River Buoy 4	MISSING	12274	0014BA	03/04
28697	South Ferry Terminal Buoy FD2	BUOYDMGD	11550	0068CH	16/04
30562.3	Sunny Point Terminal Warning Light L	TRLB	11534	0016FM	02/03
33200	Jacobs Creek Canal Daybeacon 1	DBN DMGD	11554	0339FM	34/02
33205	Jacobs Creek Canal Daybeacon 2	DBN DMGD	11554	0340FM	34/02
33427	Swan Point Warning Daybeacon A	MISSING	11548	0088FM	09/03
38570	TRIPLE S. MARINA DAYBEACON 8	DBN DEST	11547	0505FM	51/01

PRIVATE AIDS DISCREPANCIES-CORRECTED Since LNM 29/04.

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNM Ref.
None.					

III. TEMPORARY CHANGES – TEMPORARY CHANGES CORRECTED: This section contains a summary of current temporary changes and corrections to Aids to Navigation. Aids may be temporarily relocated, established or altered for dredging, testing or marking an obstruction or wreck. A permanent correction shall be listed in **Section IV** giving the new position.

TEMPORARY CHANGES

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNM Ref.
975	Barnegat Inlet Buoy 16	RLCTD DUE TO SHLNG	12323	0155AC	17/04
980	Barnegat Inlet Buoy 17	RLCTD DUE TO SHLNG	12324	0193D5	17/04

985	Barnegat Inlet Buoy 18	RLCTD DUE TO SHLNG	12323	0193D5	17/04
995	Barnegat Inlet Buoy 20	RLCTD DUE TO SHLNG	12323	0154AC	17/04
1080	Oyster Creek Channel Buoy 37	RLCTD DUE TO SHLNG	12323	0185D5	17/04
1085	Oyster Creek Channel Buoy 37A	RLCTD DUE TO SHLNG	12323	0185D5	17/04
1115	Little Egg Inlet Buoy 4	RLCTD DUE TO SHLNG	12316	0185AC	20/04
1215	Absecon Inlet Buoy 6	RLCTD FOR DRDGNG	12318	NONED5	07/04
1220	Absecon Inlet Buoy 8	DSCNTND FOR DRDGNG	12300	0038AC	07/04
1225	Absecon Inlet Buoy 10	DSCNTND FOR DRDGNG	12318	NONED5	07/04
8330	Swan Point Channel North Range Rear Light	DISCONTINUED	12272	2405D	22/04
8935	Elk River Channel South Range Front Light	REDUCEDINTENSITY	12273	0393BA	14/04
8940	Elk River Channel South Range Rear Light	REDUCEDINTENSITY	12274	0393BA	14/04
9660	Craney Island Anchorage Daybeacon A	DSCNTND FOR DRDGNG	12253	NONED5	14/04
21460	Cape Charles City Range B Front Light 8	DISCONTINUED	12224	0174D5	20/04

TEMPORARY CHANGES CORRECTED

LLNR	Aid Name	Status	Chart Number	BNM Ref.	LNM Ref.
NONE					

IV. CHART CORRECTIONS:

This section contains corrections to federal and private maintained Aids to Navigation, as well as NOS corrections. This section contains corrective actions affecting chart(s). Corrections appear numerically by chart number, and pertain to that chart only. **The mariner must decide which Chart(s) to correct. The following example explains the individual elements of a typical chart correction.**

Chart Number ↓	Chart Edition ↓	Edition Date ↓	Last Local Notice to Mariners ↓	Horizontal Datum Reference ↓	Source of Correction ↓	Current Local Notice to Mariners ↓
11541	33 rd ed. NC-PORTSMOUTH ISLAND TO BEAUFORT CHANGE	11/01/2002	LAST LNM 47/02	NAD 83	CGD05/NOS	49/02
			South River Light 1 to Daybeacon 1, SG	in	34-59-23.345N	076-35-25.467W
	↑ Corrective Action	↑ Object of corrective Action			Position (Degrees, minutes, seconds and tenths)	

The letter (M) immediately following the chart number indicates that the correction should be applied to the Metric side of the chart only. (TEMP) Indicates that the chart correction action is temporary in nature. Courses and bearings are given in degrees true, clockwise from 000°. Bearings of light sectors are toward the light from seaward. The nominal range of lights is in nautical miles (NM).

12204	35 th ed. NC- CURRITUCK BEACH LIGHT TO WIMBLE SHOALS RELOCATE	01/01/2003	LAST LNM: 29/04	NAD 84	CGD05	30/04
	Oregon Inlet Buoy 3			from	35-47-14.048N	075-30-30.170W
				to	35-47-15.502N	075-30-32.559W
	Oregon Inlet Buoy 4			from	35-47-15.477N	075-30-31.687W
				to	35-47-19.709N	075-30-36.770W
	Oregon Inlet Lighted Buoy 6			from	35-47-05.313N	075-31-01.704W
				to	35-47-02.568N	075-31-11.618W
	Oregon Inlet Buoy 7			from	35-47-02.749N	075-30-59.921W
				to	35-46-57.480N	075-31-07.226W
12205	28th ed. VA-NC- CAPE HENRY TO PAMLICO SOUND (including ALBEMARLE SOUND) RELOCATE	08/01/2003	LAST LNM: 29/04	NAD 83	CGD05	30/04
	Oregon Inlet Buoy 3			from	35-47-14.048N	075-30-30.170W
				to	35-47-15.502N	075-30-32.559W
	Oregon Inlet Buoy 4			from	35-47-15.477N	075-30-31.687W
				to	35-47-19.709N	075-30-36.770W
	Oregon Inlet Lighted Buoy 6			from	35-47-05.313N	075-31-01.704W
				to	35-47-02.568N	075-31-11.618W
	Oregon Inlet Buoy 7			from	35-47-02.749N	075-30-59.921W
				to	35-46-57.480N	075-31-07.226W
12210	36th ed. VA-CHINCOTEAGUE INLET TO GREAT MACHIPONGO INLET RELOCATE	11/01/2002	LAST LNM: 29/04	NAD 83	CGD05	30/04
	Great Machipongo Inlet Buoy 3			from	37-22-41.208N	075-42-08.022W
				to	37-22-41.538N	075-42-07.318W
	Virginia Inside Passage Daybeacon 24			from	37-50-13.416N	075-30-01.542W
				to	37-50-13.059N	075-30-01.191W
	Quinby Inlet Buoy 4			from	37-28-35.064N	075-38-08.082W
				to	37-28-35.127N	075-38-08.454W

12221	75th ed. 09/01/2003	LAST LNM: 28/04	NAD 83	CGD05	30/04
	VA- CHESAPEAKE BAY ENTRANCE RELOCATE				
	Great Machipongo Inlet Buoy 3		from	37-22-41.208N	075-42-08.022W
			to	37-22-41.538N	075-42-07.318W
12224	23 rd ed 12/01/2002	LAST LNM: 21/04	NAD 84	CGD05	30/04
	VA – CHESAPEAKE BAY: CAPE CHARLES TO WOLF TRAP RELOCATE				
	Great Machipongo Inlet Buoy 3		from	37-22-41.208N	075-42-08.022W
			to	37-22-41.538N	075-42-07.318W
12225	54th ed. 04/01/2003	LAST LNM: 23/04	NAD 83	CGD05	30/04
	VA-CHESAPEAKE BAY: WOLF TRAP TO SMITH POINT CHANGE				
	Dymer Creek Entrance Light 6 range to 3M		in	37-39-43.080N	076-19-37.236W
12235	30th ed. 03/01/2004	LAST LNM: 25/04	NAD 83	CGD05	30/04
	VA -CHESAPEAKE BAY: RAPPAHANNOCK RIVER ENTRANCE (PIANKATANK & GREAT WICOMICO RIVER) CHANGE				
	Dymer Creek Entrance Light 6 range to 3M		in	37-39-43.080N	076-19-37.236W
12316	32ST ed. 05/01/2004	LAST LNM: 29/04	NAD 83	CGD05	30/04
	NJ- ICWW: LITTLE EGG HARBOR TO CAPE MAY RELOCATE				
	Longport Buoy 7		from	39-18-42.200N	074-31-51.400W
			to	39-18-42.326N	074-31-51.504W

A weekly electronic update service is now available for NOAA's digital, raster nautical charts. All Notice to Mariner corrections from USCG, NIMA and CHS are included. The service is provided via a partnership between NOAA and Maptech, Inc. Further information is available from NOAA at (301)-713-2770, <http://chartmaker.ncd.noaa.gov> or from Maptech at (978)-933-3000, <http://www.maptech.com>.

V. ADVANCE NOTICES: This section contains advance notice of approved projects, changes to aids to navigation, bridge regulations or upcoming temporary changes such as dredging, etc. Mariners are advised to use caution while transiting these areas. Comments on this change should be forwarded to the **Commander Fifth Coast Guard District (oan), 431 Crawford Street, Portsmouth, VA 23703-5004**

VA – VIRGINIA INSIDE PASSAGE – AIDS TO NAVIGATION CHANGE.

The Coast Guard will be discontinuing Ramshorn Channel Light 2 (LLNR 6960) and changing Virginia Inside Passage Daybeacon 215 (LLNR 6355) to Virginia Inside Passage Light 215 (LLNR 6355) showing a FI G 4s. Lighting equipment will be removed when endangered by ice. **Charts: 12221 & 12224.**

BRIDGE ADVANCE NOTICE

None.

VI. PROPOSED CHANGES: Periodically the Coast Guard evaluates the system of Aids To Navigation and bridge regulations to determine whether the conditions for which the aids were established have changed. All comments should include the following information: 1) Quantity, type, capacity and value of vessels involved, and the extent that these vessels traverse the area under consideration seasonally, by day, and by night. 2) where practicable, the type of navigation devices, such as compasses, radio direction finders, radar, LORAN, DGPS, and search lights, with which such vessels are equipped. 3) The number of passengers and type, quantity, and value of cargo involved. 4) A chart section or sketch showing the action proposed when necessary to clearly describe the recommended improvement. Written comments on this proposal should be forwarded to: **COMMANDER, FIFTH COAST GUARD DISTRICT (OAN) 431 Crawford Street, Portsmouth, VA 23704-5004, unless otherwise noted.**

DE – DELAWARE BAY (EAST SIDE) – CHANGE TO AIDS TO NAVIGATION

The U.S. Coast Guard proposes to make the following changes to Nantuxent Point Light (LLNR 1970): reduce height from 23feet to 15 feet and reduce nominal range from 7nms to 5nms. Comments to this change may be sent to the above address attention Mr. Tom Flynn no later than **15 August, 2004.** **Chart 12304.**

MD – TANGIER SOUND – JANES ISLAND LIGHT (LLNR 22815) – CHANGE TO AIDS TO NAVIGATION CHANGE

The Coast Guard is soliciting for comments on discontinuing the sound signal on Janes Island Light (LLNR 22815). Comments to this change may be sent to the above address attention Mr. Al Grimes no later than **10 August, 2004.** **Charts 12228, 12230 & 12231.**

VA – POQUOSON RIVER – QUARTER MARCH CREEK – DISCONTINUE AIDS TO NAVIGATION

The Coast Guard is soliciting for comments on the discontinuing of Quarter Marsh Creek Daybeacon 2 (LLNR 13250) and Quarter Marsh Creek Daybeacon 4 (LLNR 13255) in the Poquoson River. Comments to this change may be sent to the above address, attention Mr. Al Grimes, no later than **18 August, 2004.** **Charts 12238 & 12221.**

VA – CHESAPEAKE BAY – YORK RIVER – PAMUNKEY RIVER - BRIDGE CONSTRUCTION

The U.S. Coast Guard has received an application for a bridge permit from the Virginia Department of Transportation. The applicant proposes to construct a new bridge on Route 33 over the Pamunkey River, mile 1.0 West Point, Virginia, and tributary of the York River. Comments on this proposal should be forward to the above address attention (**obr**) no later than **July 30, 2004**. Copies of **PUBLIC NOTICE 5-1009** which describe the proposal in detail can be obtained by writing to the above address or by calling (757) 398-6222. **Chart 12243.**

NJ – MANASQUAN RIVER – ROUTE 70 BRIDGE – CHANGE TO OPERATING TIMES

The U.S. Coast Guard has issued a temporary deviation to test an alternate drawbridge regulation for the Route 70 Bridge, mile 3.4, across Manasquan River, at Riviera Beach, New Jersey. Under this temporary 90-day deviation, effective **May 1, 2004, through July 29, 2004**, the Route 70 Bridge will open on signal on the hour, except that from 5 p.m. to 7 p.m., Monday through Friday and from 11 p.m. to 7 a.m. the draw need not be opened. The purpose of this temporary deviation is to test an alternate drawbridge operation schedule for 90 days and solicit comments from the public. Comments on this test deviation should be forwarded to the above address attention (**obr**) no later than August 31, 2004. Copies of **PUBLIC NOTICE 5-1011** which describes the test deviation in detail can be obtained by writing to the above address or by calling (757) 398-6222. **Chart 12324.**

MD – CHESAPEAKE BAY – CHESTER RIVER – KENT ISLAND NARROWS - BRIDGE TEST DEVIATION

The U.S. Coast Guard has issued a temporary deviation to test an alternate drawbridge regulation for the U.S. Route 50/301 Bridge, mile 1.0, across Kent Island Narrows at Kent Island, Maryland. Under this temporary 90-day deviation, effective **May 1, 2004, through July 29, 2004**, from 6 a.m. to 9 p.m. the U.S. Route 50/301 Bridge will open on the hour and half hour for the passage of all waiting vessels. The purpose of this temporary deviation is to test an alternate drawbridge operation schedule for 90 days and solicit comments from the public. The existing regulation at Title 33 Code of Federal Regulations Part 117.561 locates the drawbridge on Route 50/301. The drawbridge is now located on Maryland Route 18B. Comments on this test deviation should be forwarded to the above address attention (**OBR**) no later than August 31, 2004. Copies of **PUBLIC NOTICE 5-1010** which describes the test deviation in detail can be obtained by writing to the above address or by calling (757) 398-6422. **Chart 12272.**

VA – CHINCOTEAGUE INLET – CHINCOTEAGUE CHANNEL – SR 175 BRIDGE - CHANGE TO OPERATING PROCEDURES

Effective **July 16, 2004**, the Coast Guard is changing the regulations that govern the operation of the SR 175 Bridge across Chincoteague Channel, at mile 3.5, at Chincoteague, Virginia. These regulations are necessary to facilitate public safety during the Annual Pony Swim. This final rule will change the drawbridge operation schedule by allowing the Chincoteague Channel Bridge to remain in the closed position to vessels from **7 a.m. to 5 p.m.** on the last consecutive Wednesday and Thursday in July of every year. Copies of **PUBLIC NOTICE 5-1014** which describe the new regulations in detail can be obtained by writing to the above address or by calling (757) 398-6222. **Chart 12210.**

VII. GENERAL This section contains information of general concern to the mariner. Mariners are advised to use caution while transiting these areas. The following is a list of dredging/construction operations being conducted in the Fifth Coast Guard District. Mariners should be aware that the dredge and pontoon lines are held in place by cables, which are attached to anchors some distance from the dredge and pontoons. Buoys are attached to the anchors so that they may be moved as the dredge advances. Mariners are advised that aids to navigation may be temporarily relocated to facilitate dredging. The dredge and related equipment will be lighted and marked in accordance with International or Inland Navigation Rules and the dredge will monitor Channels 13 and 16 VHF-FM unless otherwise noted. Dredge operations are usually conducted 7 days a week, 24 hours a day. Mariners are cautioned to strictly comply with Inland Navigation Rules when approaching, passing and leaving the area of operation, to remain a safe distance from the equipment, and to contact the dredge for specific transiting information. Owners and lessees of fishnets, crabpots and other structures that may be in the vicinity and that may hinder the free navigation of attending vessels and equipment must remove these from the area where tugs, tender boats and other equipment will be navigating prior to the commencement of the dredging operations.

CONSTRUCTION/DREDGING LOCAL NOTICE TO MARINERS NOTIFICATION DEADLINES

Construction and dredging companies should notify **Commander, Fifth Coast Guard District (oan), 431 Crawford Street, Portsmouth, VA 23704-5004** at **least 3 weeks prior to operation** begin date for information to be published in the **Local Notice to Mariners**. It is requested that notification be delivered by letter or fax and followed up by telephone. Fax # (757) 398-6303 and voice Phone # (757) 398-6486 or at the D5LOCAL INTERNET SITE.

LOCATION	START/COMPLETION DATE	DREDGE/COMPANY	REF LNM
MD – Baltimore Harbor – Dredging	Until further notice	WEEKS MARINE	23/03
MD – Harts Island – Dredging	01 Jun- 31 Jul 2004	Southern Maryland Dredging	21/04
NJ – Cape May to Oyster Creek – Dredging	10 May – 30 Sep 2004	MIKE THOMAS	18/04
VA – North/Oyster Channel of VIP	22 Jul – 20 Aug 2004	MARION	30/04
VA – James River – Dancing Point/Swann Point	20 Jul – 27 Aug 2004	RICHMOND	29/04
VA – Elizabeth River – Norfolk Naval Station Small Craft Harbor – Dredging	14 Jun – 31 Aug 2004	MOBRO 112	23/04
VA – Elizabeth River – Craney Island Reach – Dredging	04 Jun – 04 Jan 2005	DREDGE 312	22/04
VA – Rudee Inlet – Dredging	Until Further Notice	RUDEE II	
VA – James River –Skiffes Creek– Dredging	01 July – 30 Sep 2004	ENTERPRISE	03/04
VA – Coastal – Rudee Inlet – Dredging	Until Further Notice	RUDEE II	18/04
VA – Elizabeth River – Western Branch – Bridge demolition/ Construction	Apr 2002 – Dec 2004	Tidewater Construction	16/02
VA – Elizabeth River – Small Craft Harbor Norfolk Naval Station – Dredging	14 Jun – 31 Aug 2004	MOBRO 139	21/04
VA – Elizabeth River – Lamberts Point – Pier Construction	Through Aug 2004	Marine Contracting Corp.	39/03
NC – Cape Fear River Lower Lilliput Channel, Lower Midnight, Upper Midnight Channel – Dredging	Jul 2004	DREDGE 54	33/03
NC – Northeast Cape Fear River/Smith Creek Parkway – Bridge Construction	01 Jun – 31 Jan 2005	TIDEWATER CONSTR	19/03

INFORMATION CONCERNING BRIDGES ACROSS NAVIGABLE WATERS OF THE FIFTH COAST GUARD DISTRICT

The following is a list of operating information for certain bridges within the Fifth Coast Guard District. Mariners are advised that the bridges may be

operating on a temporary schedule, with reduced clearances, undergoing bridge repairs or under new bridge construction. Mariners are advised to proceed with caution, comply with Inland Navigation Rules at all bridges and to contact the bridge on channels 13 and 16 VHF-FM. For more information refer to the referenced **Local Notice To Mariner** or contact the **Commander, Fifth Coast Guard District (oan-b), 431 Crawford Street, Portsmouth, VA, 23704-5004** via written correspondence, by voice phone at (757) 398-6222., or at the LANTAREA Office Aids to Navigation INTERNET SITE.

BRIDGE	TYPE	WATERWAY	MILE	SUBJECT	COMP. DATE	LNM
Christina River Bridge	F	Delaware River	5.5	Bridge repairs	Until further notice	42/02
Ben Franklin Bridge		Delaware River	100.2	Painting/sandblasting	Until further notice	47/03
Third Street Bridge	B	Delaware/Christina River	2.3	Bridge repair	Until further notice	19/01
Hanover Street Bridge		Baltimore		Bridge inoperative	Until further notice	33/02
Woodrow Wilson Bridge	B	Potomac River	103.8	Bridge Replacement	Until further notice	20/01
SR 123 Occoquan River		Occoquan River	5.0	Bridge construction	30 May 2005	43/03
Amtrack Swing Bridge		Susquehanna Riv	1.0	Bridge repairs	Until further notice	28/00
Rochambeau Bridge		Potomac Riv	109.9	Painting/sandblasting	Until further notice	35/01
McGhan Bridge		NJICW Beach Thorofare	69.0	Bridge repair	Until further notice	33/02
Jones Creek		James River		Bridge Replacement	Until further notice	35/03
Weems/College Creek bridge		Weems and College Creek		Bridge Construction	Until further notice	16/04
Virginia Rt. 33/Lord Delaware Birdge.		Mattaponi River		Bridge Construction	Until further notice.	17/04

KEY: F=Fixed, DR=Draw, RIV=River, CH=Channel, HBR=Harbor, AICWW=Atlantic Intracoastal Waterway, B=Bascule, E=East(Eastern), W=West(Western), S=South(Southern), N=North(Northern), SW=Swing Bridge, SYS=System, RR=Railroad, Sked=Schedule, Constr=Construction, Rest=Restricted, SR=State Route, RSP=Removable Span, VL=Vertical Lift

SUMMARY OF GENERAL ARTICLES IN EFFECT FOR THE WATERS OF THE FIFTH COAST GUARD DISTRICT

MD – CHESAPEAKE BAY – CHOPTANK RIVER - BRIDGE INFORMATION

Mariners are advised to take caution when approaching the Choptank River Bridge, Mile 51.2, at Denton, Maryland. A painting project will be conducted from July 1 through September 30, 2004. The channel shall remain open during this project. **Chart 12266**

LNM 28/04

MD – PATUXENT RIVER – TEMPORARY MOORING BUOYS ESTABLISHED

Coastal Design & Construction Inc. will establish five mooring buoys white with a blue horizontal stripe, until April 2005, in the Patuxent River in association with the Navy's West Patuxent Basin Shoreline Protection Project. P.O.C. for Coastal Design & Construction Inc. is Mr. Jim Gunn 804-693-4158.

CDC-Pax River Temp Mooring Buoy A 38-17 55N, 076-27-22W

CDC-Pax River Temp Mooring Buoy B 38-17-50N, 076-27-07W

CDC-Pax River Temp Mooring Buoys C, D, E 38-17-45N, 076-27-30W, the three moorings are 400 feet apart. **Charts 12264, 12284**

LNM 28/04

VA - NORFOLK VA – NORFOLK NAVAL STATION – MOORING INSTALLATIONS

The US Navy is installing embedment anchor type barrier moorings located opposite the Piers by Naval Station Norfolk. Seventeen moorings will be installed from Pier 1 to the breakwater by Sewell's Point. The moorings are located between the ends of the piers and the eastern boundary of the adjacent channel. Installation operations to be conducted during the month of August-September 2004 commencing the 2nd week of August 2004. Repair operations will involve the use of a floating crane, material barge and 1-2 service tugs. During operations, the derrick barge will be in a spud moor alongside each mooring, but not in the channel. During non-working hours (8pm through 6am), work vessels will remain moored and lighted as required. Mariners are advised to use extreme caution when transiting past work area and the work area shall be considered a "No Wake" zone during working hours. For further comments or details, contact Norfolk Port Control at 757-444-2351. **Chart 12245.**

LNM 29/04

VA – VIRGINIA INSIDE PASSAGE – NORTH CHANNEL/OYSTER CHANNEL - DREDGING

The Dredge MARION will be conducting dredging operations in the vicinity of North Channel/Oyster Channel in the Virginia Inside Passage from **22 July, 2004 through 20 August, 2004**. The dredge can be contacted on VHF-FM Channels 13 and 16. Mariners are requested to stay clear of the dredge, floating and submerged pipeline, buoys and wires and review comments concerning dredging operations under **General Articles VII**. Mariners are requested to exercise extreme caution and **no wake** when approaching, passing and leaving the dredge location and to strictly comply with Inland Rules of the Road and watch for indications of a submerged or partially submerged pipeline. **Chart 12224.**

LNM 30/04

VA – JAMES RIVER –DANCING POINT/SWANN POINT- DREDGING

The Dredge RICHMOND will be conducting dredging operations in the vicinity of Dancing Point/Swann Point from **20 July, 2004 through 27 August, 2004**. The dredge can be contacted on VHF-FM Channels 13 and 16. Mariners are requested to stay clear of the dredge, floating and submerged pipeline, buoys and wires and review comments concerning dredging operations under **General Articles VII**. Mariners are requested to exercise extreme caution and **no wake** when approaching, passing and leaving the dredge location and to strictly comply with Inland Rules of the Road and watch for indications of a submerged or partially submerged pipeline. **Chart 12251.**

LNM 29/04

NC – COASTAL – OREGON INLET TO CAPE HATTERAS – HYDROGRAPHIC SURVEY

The research vessel R/V FAY SLOVER will be conducting hydrographic survey studies from Oregon Inlet and Cape Hatteras, 10 to 20 miles offshore from 01 to 14 August, 2004. The survey will consist of towing a subsurface sensor approximately 150 meters astern which will restrict the vessels ability to maneuver. All vessels are requested to stay clear and not obstruct the towing evolution. R/V FAY SLOVER can be contacted on VHF-FM CH 13 & 16.

LNM 29/04

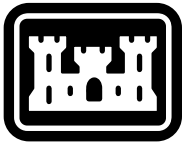
VIII. LIGHT LIST CORRECTIONS FOR COMDTPUBP16502.2 VOLUME II, 2004 EDITION.

An asterisk*, indicates the column in which a correction has been made or new information added

LLNR	(2) Name and Location	(3) N/W Position	(4) Characteristic	(5) Ht	(6) Rng	(7) Structure	(8) Remarks	(9) LNM
1318	- Longport Buoy 8					Red nun.	*	30/04
21770	- CHANNEL LIGHT 3		FI G 4s	15	4	SG on pile.	Light equipment removed when endangered by ice.	30/04
				*				
22345	- LIGHT 2	37 53 14 N 75 43 52 W	FI R 4s	15	5	TR on multi-pile structure.	Light equipment removed from Dec. 1 to Mar. 15.	30/04
						*		
22355	- LIGHT 5	37 53 46 N 75 42 03 W	FI G 4s	15	4	SG on multi-pile structure.	Light equipment removed from Dec. 1 to Mar. 15.	30/04
						*		
22360	- LIGHT 6	37 54 05 N 75 41 18 W	FI R 4s	15	3	TR on multi-pile structure.	Light equipment removed from Dec. 1 to Mar. 15.	30/04
					*	*		

ENCLOSURES

1. Temporary Danger Zone for Plum Tree Island National Wildlife Preserve.
2. **Change No. 43** to U.S. Coast Pilot 4, Atlantic Coast: Cape Henry to Key West, 2003 (35th) Edition.
3. **Change No. 44** to U.S. Coast Pilot 4, Atlantic Coast: Cape Henry to Key West, 2003 (35th) Edition.
4. **Change No. 45** to U.S. Coast Pilot 4, Atlantic Coast: Cape Henry to Key West, 2003 (35th) Edition.
5. Special Local Regulation for Marine Event, Pamlico River, Washington, NC
6. Special Local Regulation for Marine Events, Manasquan River, Manasquan Inlet and Atlantic Ocean Point Pleasant Beach to Bay Head, NJ.



**U.S. Army Corps
Of Engineers**
Norfolk District

CENAO-TS-REG

July 15, 2004

1. U.S. COAST GUARD CAPTAIN OF THE PORT, THE COMMONWEALTH OF VIRGINIA EMERGENCY OPERATIONS CENTER, THE VIRGINIA MARINE RESOURCE COMMISSION, LAW ENFORCEMENT DIVISION AND CONCERNED PARTIES.

SUBJECT: Designation of a Temporary Danger Zone adjacent to Plum Tree Island National Wildlife Refuge (NWR) adjacent to the Chesapeake Bay, a navigable water of the United States located at Poquoson Virginia.

The District Engineer, at the request of The United States Fish and Wildlife Service, has established a Local Order, effective immediately, authorizing a Danger Zone along portions of Plum Tree Island NWR.

Recent inspections indicate the presence of unexploded ordnance within the boundaries of the area outlined in this order. The District Engineer has determined that this order is necessary in safeguarding the Public, the environment and is not contrary to public interest. Further studies will be conducted over the next year to determine the full extent of the hazards and the designated area adjusted as necessary to protect the public. Should the studies conclude that the hazards do not exist to the extent defined in this order then the size of the area will be reduced accordingly.

Pursuant to the authority granted in 33 C.F.R. 209.200, 334.3(c), 33 U.S.C. 1 and 33 U.S.C. 3 The District Engineer has authorized a Danger Zone in waters of the United States adjacent to Plum Tree Island, Poquoson Virginia as follows:

Chesapeake Virginia, Plum Tree Island NWR, Danger Zone

(a) The Area: (1) The waters within an area beginning at Mean High Water on the shore east of Whalebone Island at latitude 37°08'41"N, longitude 76°19'58" W; then northwest to a point off of Whalebone Island at latitude 37°08'56" N, longitude 76°19'41" W; thence southeast to latitude 37°08'39" N, longitude 76°19'29" W; latitude 37°08'35" N, longitude 76°19'12" W; latitude 37°08'22" N, longitude 76°18'56" W; latitude 37°08'23" N, longitude 76°18'38" W; latitude 37°08'16" N, longitude 76°18'26" W; latitude 37°08'09" N, longitude 76°18'21" W; latitude 37°08'04" N, longitude 76°18'08" W; latitude 37°07'54" N, longitude 76°18'03" W; latitude 37°07'55" N, longitude 76°17'52" W; latitude 37°07'49" N, longitude 76°17'40" W; latitude 37°07'44" N, longitude 76°17'37" W; latitude 37°07'36" N, longitude 76°17'22" W; latitude 37°07'43" N, longitude 76°17'29" W; to a position southeast of Plumtree Point at latitude 37°07'30" N, longitude 76°17'24" W; then along the shore generally southwest beginning at latitude 37°07'08" N, longitude 76°17'56" W; thence to latitude 37°06'51" N, longitude 76°17'59" W; latitude 37°06'46" N, longitude 76°18'03" W; latitude 37°06'41" N, longitude 76°18'12" W; latitude 37°06'34" N, longitude 76°18'21" W; latitude 37°06'38" N, longitude 76°18'35" W; latitude 37°06'42" N, longitude 76°18'3" W thence to a point on shore at Mean High Water in position; latitude 37°06'46" N, longitude 76°18'35" W.

(b) The Regulations. (1) No vessel or persons may enter the Danger Zone established in accordance with this regulation without the permission of the District Engineer or persons or agencies authorized to act in his/her behalf (see; Contact Information).

(1) The District Engineer may, at any time, increase the overall size of this restricted area as deemed necessary for the safety and security of the Port, Public, Environment or Economy. Any increase in the size of the area will be related to a specific threat and shall remain only so long as the threat exists.

(2) Commercial or private interests having a need to operate within the Danger Zone must contact the Corps of Engineers (see; Contact information) for additional guidance before entering this area.

(c) Enforcement. (1) The regulation in this section, promulgated by the United States Army Corps of Engineers may be enforced by any Federal Agency, State, Local or County Law Enforcement agency, or Private Security Firms in the employment of the Corps of Engineers or U.S. Fish and Wildlife Service so long as the entity undertaking enforcement action has the legal authority to do so under the appropriate Federal, State, or Local laws.

(d) Effective Date: This order is effective immediately.

(e) Duration: This order shall remain in effect until July 31, 2005 unless changes or formal regulations are developed.

(j) Contact Information: For the latest information regarding the danger zone or for permission to enter the area contact Mr. Rick Henderson Corps of Engineers Regulatory Branch at (757) 441-7653 or check the web site at <http://www.nao.usace.army.mil/Regulatory/PN/PN.html>. For information regarding technical issues associated with the hazards contact Ms. Adriane James (757) 441-7701

2. Change No. 43 to U.S. Coast Pilot 4, Atlantic Coast: Cape Henry to Key West, 2003 (35th) Edition.

Page 252-Paragraph 136, read:

North Atlantic right whales are the world's most endangered large whale. They can be found seasonally from Canada to Florida. Right whales migrate along the east coast between the northern feeding grounds off of New England and Canada and the southern calving grounds off of Florida, Georgia, and South Carolina. The southern migration occurs in the fall and early winter, and the northern migration occurs in the winter and early spring.

Ship strikes and entanglement in fishing gear are the right whales two primary sources of human-related mortality. Right whales are highly vulnerable to ship strikes; then mate, rest, feed, and nurse their young at the waters surface and often do not move out of the way of oncoming ships. Calves returning north from the southern calving grounds with their mothers are particularly susceptible to collisions with ships.

(CL 1004/04)

Page 253-Paragraph 137, read:

Seasonal occurrence of North Atlantic right whales: In seasons and in areas where right whales may occur, vessel operators should maintain a sharp lookout and proceed with caution. An area designated as right whale critical habitat (calving ground) includes waters between 31°15'N. and 30°15'N., (approximately from the mouth of the Altamaha River, GA to Jacksonville, FL from the shoreline to 15 nautical mile offshore); and between 30°15'N. and 28°00'N., (approximately from Jacksonville, FL to Sebastian Inlet, FL from the shoreline to 5 nautical miles offshore). Occasionally in the calving season, right whales have been sighted as far north as Georgetown, SC and as far south as St. Lucie Inlet, FL. In September through December, right whales migrate to the calving ground from critical habitats off of New England and Canada. In January through April, right whales and their calves migrate northward from the critical habitat feeding grounds off of New England and Canada. Migrating whales often occur within 25 to 30 nautical miles offshore along the east coast. Right whales occur seasonally off the Virginia coast (peak season: February through April, and October through December); in the approaches of Beaufort, Morehead City, and Wilmington, NC (peak season: October through April); in the approaches to Georgetown and Charleston Harbor, SC (peak season: October through April); and in the approaches to Savannah, GA (peak season: November through April). Seasonal right whale advisories and sighting reports are broadcast periodically for these areas by Coast Guard Broadcast Notice to Mariners, NAVTEX, NOAA Weather Radio, and in the return message from the Right Whale Mandatory Ship Reporting (MSR) system.

(CL 1025/04)

Page 253-Paragraph 138, line 2; read:

reaches lengths of 45 to 60 feet and is black in color.

(CL 1004/04)

Page 253-Paragraph 139, line 2; read:

permit, a dedicated seasonal-program (December through March) of overflights ...

(CL 1004/04)

Page 253-Paragraph 139, line 6 through Paragraph 140; read:

purposes. Survey planes occasionally contact ship Masters to communicate right whale sightings directly to the bridge. However, many right whales go undetected.

Precautions: The National Marine Fisheries Service recommends the following precautionary measures be taken to avoid North Atlantic right whales.

(CL 1004/04)

Page 253-Paragraph 141, line 3; read:

to Mariners, NAVTEX, NOAA Weather Radio, Mandatory Ship Reporting (MSR) system, and other sources for recent ...

(CL 1004/04)

Page 253-Paragraph 142, line 3 through Paragraph 146; read:

lookouts familiar with spotting whales.

When planning passage along the southeast coast, attempt to avoid transit through the right whale critical habitat during calving season by remaining offshore and plan to minimize travel distances through the critical habitat when entering or leaving port. Anticipate delays due to whale sightings.

When the ability to spot whales is reduced (e.g. night, fog, rain, etc), mariners should bear in mind that reduced speed may minimize the risk of ship strikes.

Local ships' pilots may also provide additional information of the known locations of right whales and local safe vessel operating procedures.

(CL 1004/04)

3. Change No. 44 to U.S. Coast Pilot 4, Atlantic Coast: Cape Henry to Key West, 2003 (35th) Edition.

Page 255-Paragraph 161 through Paragraph 162, line 2; read:

Mandatory Ship Reporting (MSR) Systems (WHALESNORTH and WHALESSOUTH), have been established within the following areas:
Northeastern reporting system

Geographical boundaries of the northeastern area include the waters of Cape Cod Bay, Massachusetts Bay, and the Great South Channel east and southeast of Massachusetts. The coordinates (NAD 83) of the area are as follows:

From a point on Cape Ann, MA at
42°39'N., 70°37'W., thence northeast to
42°45'N., 70°13'W., thence southeast to
42°10'N., 68°31'W., thence south to
41°00'N., 68°31'W., thence west to
41°00'N., 69°17'W., thence northwest to
42°05'N., 70°02'W., thence west to
42°04'N., 70°10'W., and thence along the Massachusetts shoreline of Cape Cod Bay and Massachusetts Bay back to the point on Cape Ann, MA at
42°39'N., 70°37'W.

Southeastern reporting system

Geographical boundaries of the southeastern area include coastal waters within about 25 nautical miles (45 kilometers) along a 90-nautical mile (170-kilometer) stretch of the Atlantic seaboard in Florida and Georgia. The area coordinates (NAD 83) extends from the shoreline east to 80°51.6'W., with the southern and northern boundaries at 30°00'N., and 31°27'N., respectively.

Mandatory Ship Reporting (MSR) systems require all vessels, 300 gross tons or greater, to report to the U.S. Coast Guard prior to entering two designated reporting areas off the east coast of the United States. (See **33 CFR 169**, chapter 2, page 155, for limits and regulations.) Sovereign immune vessels are exempt from the requirements to report, but are encouraged to participate.

The two reporting systems will operate independently of each other. The system in the northeastern ...

(CL 1004/04)

Page 255-Paragraph 188, insert after:

Mariners should check all MSR messages carefully before transmittal to ensure the messages include the correct address and correct format. Additional comments in the message will preclude message receipt by the MSR system. Failure to receive a timely return message from the MSR system, providing locations of recent right whale sightings and precautionary guidance, should be reported to the local Marine Safety Office of the U.S. Coast Guard.

(CL 1004/04)

Page 273-Paragraph 11, line 3; read:

Pilot 3, Atlantic Coast-Sandy Hook to Cape Henry.

North Atlantic Right Whales

Endangered North Atlantic right whales often occur within 25 to 30 nautical miles off of the Virginia coast (peak season: February through April, and October through December) and the North Carolina coast (peak season: October through April). (See **North Atlantic right whales**, indexed as such, chapter 3).

(CL 1025/04)

Page 297-Paragraph 7, line 8; read:

4 days per month.

North Atlantic Right Whales

Endangered North Atlantic right whales often occur within 25 to 30 nautical miles off of the North Carolina coast, and may occur in the approaches of the deepwater ports of Morehead City and Wilmington, and the smaller port of Beaufort (peak season: October through April) (See **North Atlantic right whales**, indexed as such, chapter 3).

(CL 1025/04)

Page 319-Paragraph 9, line 9; read:

storm is over open water.

North Atlantic Right Whales

Endangered North Atlantic right whales often occur within 25 to 30 nautical miles off of the North Carolina and South Carolina coasts (peak season: October through April). (See **North Atlantic right whales**, indexed as such, chapter 3).

(CL 1025/04)

Page 341-Paragraph 10, line 7; read:
showers.

North Atlantic Right Whales

Endangered North Atlantic right whales often occur within 25 to 30 nautical miles off of the South Carolina and Georgia coasts, in the approaches to Charleston Harbor (peak season: October through April) and Savannah (peak season: November through April). It is illegal to approach closer than 500 yards of any right whale. (See **50 CFR 224.103(c)**, chapter 2, for limits and regulations.) (See **North Atlantic right whales**, indexed as such, chapter 3).

(CL 1025/04)

Page 359-Paragraph 10, read:

North Atlantic Right Whales

The northern limit of the right whale critical habitat is just south of Altamaha Sound **31°15'N.** from the coast out 15 nautical miles (see **50 CFR 226.203(c)**, chapter 2). Right whales have been sighted as far north as Savannah River in the calving season, generally December through March. In March and April, right whales accompanied by calves migrate northward from the critical habitat, often within 20 miles of the coast to summer feeding grounds off New England. (See **North Atlantic right whales**, indexed as such, chapter 3). It is illegal to approach closer than 500 yards of any right whale. (See **50 CFR 224.103(c)**, chapter 2, for limits, regulations, and exceptions.)
(CL 1004/04; 50 CFR 226; 50 CFR 224)

Page 368-Paragraph 123: Delete.
(NOS/04; CL 1004/04)

Page 381-Paragraph 4, line 7 through Paragraph 5; read:
northeasterly or northerly winds.

North Atlantic Right Whales

Approaches to the St. Johns River entrance lie within designated critical habitat for endangered North Atlantic right whales (see **50 CFR 226.203(c)**, chapter 2.) The area is a calving ground from generally December through March. It is illegal to approach right whales closer than 500 yards. (See **50 CFR 224.103(c)**, chapter 2, for limits, regulations, and exceptions.) Special precautions may be needed to protect and avoid these animals. (See **North Atlantic right whales**, indexed as such, chapter 3).
(CL 1004/04)

4. Change No. 45 to U.S. Coast Pilot 4, Atlantic Coast: Cape Henry to Key West, 2003 (35th) Edition.

Page 124-Paragraph 1681, lines 5-6; read:
are consolidated into three reports (sailing plan, position, and final).
(FR 7/1/04)

Page 131-Paragraph 1777, line 8; read:
approved material is available for inspection at the Office of the Federal ...
(CL 941/04; FR 6/23/04)

Page 249-Paragraph 48, line 2; read:
Lucie Shoal Lighted Buoy 12.
(LL/04; 33/03 CG7)

Page 250-Paragraph 65, line 6; read:
passing 1 mile eastward of Miami Lighted Buoy ...
(LL/04)

Page 284-Paragraph 163, line 2; read:
westward of Croatan Sound Approach Light 3CS, but entrance ...
(LL/04)

Page 291-Paragraph 249, lines 3-4; read:
daybeacons. In October 2003, the privately dredged entrance channel had a reported controlling depth of 6.1 ...
(DB 5393)

Page 338-Paragraph 200, lines 6-7; read:
bridge at **Mount Pleasant**. In June 2003, the reported controlling depth was 6.0 feet to the highway bridge. Shem ...
(DB 1909)

Page 349-Paragraph 88, line 18; read:
Creek, forming flats. In 1999-2004, the creek had a reported ...
(DB 6024)

Page 349-Paragraph 89, lines 3-4; read:
and extends 6 miles into Hilton Head Island. In May 2004, the reported controlling depth was 8.1 feet for a ...
(DB 6019)

Page 427-Paragraph 320, line 8; read:
cut opposite the basin. In May 2004, the controlling ...
(CL 968/04)

Page 457-Paragraph 85, lines 3-4; read:
October 2003, the privately dredged entrance channel had a reported controlling depth of 6.1 feet. Several ...
(DB 5393)

5. Special Local Regulations for Marine Events; Pamlico River, Washington, NC

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary special local regulations for the "SBIP - Fountain Powerboats Kilo Run and Super Boat Pro-Am Race", a marine event to be held August 6 and August 8, 2004, on the waters of the Pamlico River, near Washington, North Carolina. These special local regulations are necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in portions of the Pamlico River during the event.

DATE: This rule is effective from 6:30 a.m. on August 6, 2004 to 5 p.m. on August 8, 2004.

ADDRESSES: Documents indicated in this preamble as being available in the docket, are part of docket CGD05-04-133 and are available for inspection or copying at Commander (oax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: S. L. Phillips, Project Manager, Auxiliary and Recreational Boating Safety Branch, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B) the Coast Guard finds that good cause exists for not publishing an NPRM. Publishing an NPRM would be impracticable. The event will begin on August 6, 2004. There is not sufficient time to allow for a notice and comment period prior to the event. . Because of the danger posed by high-speed powerboats racing in a closed circuit, special local regulations are necessary to provide for the safety of event participants, spectator craft and other vessels transiting the event area. For the safety concerns noted, it is in the public interest to have these regulations in effect during the event.

Under 5 U.S.C. 553(d)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the Federal Register. Delaying the effective date would be contrary to the public interest, since immediate action is needed to ensure the safety of the event participants, spectator craft and other vessels transiting the event area in the Pamlico River. However, advance notifications will be made to affected users of the river via marine information broadcasts and area newspapers.

Background and Purpose

On August 6 and August 8, 2004, Super Boat International Productions will sponsor the "SBIP - Fountain Powerboats Kilo Run and Super Boat Pro-Am Race", on the Pamlico River, near Washington, North Carolina. The event will consist of approximately 40 high-speed powerboats racing in heats along a 5-mile oval course on August 8, 2004. Preliminary speed trials along a straight one-kilometer course will be conducted on August 6, 2004. Approximately 20 boats will participate in the speed trials. Approximately 100 spectator vessels will gather nearby to view the speed trials and the race. If either the speed trials or races are postponed due to weather, they will be held the next day. During the speed trials and the races, vessel traffic will be temporarily restricted to provide for the safety of participants, spectators and transiting vessels.

Discussion of Rule

The Coast Guard is establishing temporary special local regulations on specified waters of the Pamlico River near Washington, North Carolina. The temporary special local regulations will be enforced from 6:30 a.m. to 12:30 p.m. on August 6, 2004, and from 11:30 a.m. to 5 p.m. on August 8, 2004. If either the speed trials or races are postponed due to weather, then the temporary special local regulations will be enforced during the same time period the next day. The effect of the temporary special local regulations will be to restrict general navigation in the regulated area during the speed trials and races. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area. Non-participating vessels will be allowed to transit the regulated area between races, when the Coast Guard Patrol Commander determines it is safe to do so. These regulations are needed to control vessel traffic during the event to enhance the safety of participants, spectators and transiting vessels.

Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require

an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this temporary final rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

Although this regulation prevents traffic from transiting a portion of the Pamlico River during the event, the effect of this regulation will not be significant due to the limited duration that the regulated area will be in effect and the extensive advance notifications that will be made to the maritime community via marine information broadcasts and area newspapers so mariners can adjust their plans accordingly.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 - 612), we considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. This rule will affect the following entities, some of which may be small entities: the owners or operators of vessels intending to transit or anchor in the effected portion of the Pamlico River during the event.

This rule will not have a significant economic impact on a substantial number of small entities for the following reasons. This rule will be in effect for only a short period. The Patrol Commander will allow non-participating vessels to transit the event area between races. Before the enforcement period, we will issue maritime advisories so mariners can adjust their plans accordingly.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), we want to assist small entities in understanding this temporary rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact the address listed under ADDRESSES.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247).

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3 (a) and 3 (b) (2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and will not create an environmental risk to health or risk to safety that might disproportionately affect children.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial and direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy

Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded under figure 2-1, paragraph (34)(h), of the Instruction, from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine parade permit are specifically excluded from further analysis and documentation under those sections. Under figure 2-1, paragraph (34)(h), of the Instruction, an "Environmental Analysis Check List" and a "Categorical Exclusion Determination" are not required for this rule.

List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR Part 100 as follows:

PART 100-SAFETY OF LIFE ON NAVIGABLE WATERS

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233, Department of Homeland Security Delegation No. 0170.1

2. Add a temporary § 100.35-T05-133 to read as follows:

§ 100.35-T05-133 Pamlico River, Washington, NC.

(a) **Regulated area.** The regulated area is established for the waters of the Pamlico River including Chocowinity Bay, from shoreline to shoreline, bounded on the south by a line running northeasterly from Camp Hardee at latitude 35°28'23" North, longitude 076°59'23" West, to Broad Creek Point at latitude 35°29'04" North, longitude 076°58'44" West, and bounded on the north by the Norfolk Southern Railroad Bridge. All coordinates reference Datum NAD 1983.

(b) **Definitions.**

(1) **Coast Guard Patrol Commander** means a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Fort Macon.

(2) **Official Patrol** means any vessel assigned or approved by Commander, Coast Guard Group Fort Macon with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

(c) **Special local regulations:**

(1) Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area.

(2) The operator of any vessel in the regulated area shall:

- (i) Stop the vessel immediately when directed to do so by any Official Patrol.
- (ii) Proceed as directed by any Official Patrol.

(c) **Enforcement period.** This section will be enforced from 6:30 a.m. to 12:30 p.m. on August 6, 2004, and from 11:30 a.m. to 5 p.m. on August 8, 2004. If either the speed trials or the races are postponed due to weather, then the temporary special local regulations will be enforced during the same time period the next day.

DATED: July 26, 2004

Rear Admiral, U.S. Coast Guard
Commander, Fifth Coast Guard District

6. Special Local Regulations for Marine Events; Manasquan River, Manasquan Inlet and Atlantic Ocean, Point Pleasant Beach to Bay Head, NJ

AGENCY: Coast Guard, DHS.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing temporary special local regulations for the "Point Pleasant OPA/NJ Offshore Grand Prix", a marine event to be held on the waters of the Manasquan River, Manasquan Inlet and Atlantic Ocean between Point Pleasant Beach and Bay Head, New Jersey. These special local regulations are necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic in the regulated area during the event.

DATE: This rule is effective from 9:30 a.m. to 3:30 p.m. on August 13, 2004.

ADDRESSES: Documents indicated in this preamble as being available in the docket, are part of docket CGD05-04-139 and are available for inspection or copying at Commander (Aoax), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, between 9 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: S. L. Phillips, Project Manager, Auxiliary and Recreational Boating Safety Section, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Regulatory Information

We did not publish a notice of proposed rulemaking (NPRM) for this regulation. Under 5 U.S.C. 553(b)(B) the Coast Guard finds that good cause exists for not publishing an NPRM. Publishing an NPRM would be impracticable. The event will take place on August 13, 2004. There is not sufficient time to allow for a notice and comment period, prior to the event. Immediate action is needed to protect the safety of life at sea from the danger posed by high-speed powerboats racing in a closed circuit.

Under 5 U.S.C. 553(d)(B)(3), the Coast Guard finds that good cause exists for making this rule effective less than 30 days after publication in the Federal Register. Delaying the effective date would be contrary to the public interest, since immediate action is needed to ensure the safety of the event participants, spectator craft and other vessels transiting the event area. However advance notifications will be made to affected waterway users via marine information broadcasts and area newspapers.

Background and Purpose

On August 13, 2004, the Offshore Performance Association and the New Jersey Offshore Racing Association will sponsor the "Point Pleasant OPA/NJ Offshore Grand Prix". The event will consist of approximately 35 offshore powerboats racing along an oval course on the waters of the Atlantic Ocean. A fleet of spectator vessels is expected to gather in the Atlantic Ocean near the event site to view the competition. To provide for the safety of participants, spectators and other transiting vessels, the Coast Guard will temporarily restrict vessel traffic in the event area during the races.

Discussion of Rule

The Coast Guard is establishing temporary special local regulations on specified waters of the Manasquan River, Manasquan Inlet and the Atlantic Ocean. The temporary special local regulations will be in effect from 9:30 a.m. until 3:30 p.m. on August 13, 2004. The effect will be to restrict general navigation in the regulated area during the event. Except for persons or vessels authorized by the Coast Guard Patrol Commander, no person or vessel may enter or remain in the regulated area. The Patrol Commander will allow non-participants to transit the regulated area between races. These regulations are needed to control vessel traffic during the event to enhance the safety of participants, spectators and transiting vessels.

Regulatory Evaluation

This rule is not a "significant regulatory action" under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not "significant" under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this temporary rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary.

Although this regulation prevents traffic from transiting a portion of the Manasquan River, Manasquan Inlet and the Atlantic Ocean during the event, the effect of this regulation will not be significant due to the limited duration that the regulated area will be in effect and the extensive advance notifications that will be made to the maritime community via marine information broadcasts and area newspapers so mariners can adjust their plans accordingly.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 - 612.), we considered whether this rule would have a significant economic impact on a substantial number of small entities. The term "small entities" comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. This rule will affect the following entities, some of which may be small entities: the owners or operators of vessels intending to transit the Manasquan River, Manasquan Inlet or Atlantic Ocean during the event.

This rule will not have a significant economic impact on a substantial number of small entities for the following reasons. This rule will be in effect for only a short period, from 9:30 a.m. to 3:30 pm. on August 13, 2004. Vessel traffic will be allowed to pass through the regulated area between races when the Coast Guard Patrol Commander determines it safe to do so. Before the enforcement period, we will issue maritime advisories so mariners can adjust their plans accordingly.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104-121), we want to assist small entities in understanding this rule so that they can better evaluate its effects on them and participate in the rulemaking process.

Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1-888-REG-FAIR (1-888-734-3247).

Collection of Information

This rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531-1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of \$100,000,000 or more in any one year. Though this rule will not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial and direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a "significant energy action" under that order because it is not a "significant regulatory action" under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321-4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded under figure 2-1, paragraph (34)(h), of the Instruction, from further environmental documentation. Special local regulations issued in conjunction with a regatta or marine parade permit are specifically excluded from further analysis and documentation under those sections. Under figure 2-1, paragraph (34)(h), of the Instruction, an "Environmental Analysis Check List" and a "Categorical Exclusion Determination" are not required for this rule.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons discussed in the preamble, the Coast Guard amends 33 CFR Part 100 as follows:

PART 100-SAFETY OF LIFE ON NAVIGABLE WATERS

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233, Department of Homeland Security Delegation No. 0170.1.

2. Add a temporary § 100.35-T05-139 to read as follows:

§ 100.35-T05-139: Manasquan River, Manasquan Inlet and Atlantic Ocean, Point Pleasant Beach to Bay Head, NJ.

(a) Regulated area. The regulated area is established for the waters of the Manasquan River from the New York and Long Branch Railroad to Manasquan Inlet, together with all waters of the Atlantic Ocean bounded by a line drawn from the end of the South Manasquan Inlet Jetty, easterly to Manasquan Inlet Lighted Buoy "2M", then southerly to a position at latitude 40°04'26" N, longitude 074°01'30" W, then westerly to the shoreline.

All coordinates reference Datum NAD 1983.

- (b) Definitions:

(1) Coast Guard Patrol Commander means a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Atlantic City.

(2) Official Patrol means any vessel assigned or approved by Commander, Coast Guard Group Atlantic City with a commissioned, warrant, or petty officer on board and displaying a Coast Guard ensign.

- (3) Sponsor means an officer or agent of Offshore Performance Association, P.O. Box H385, Brick, NJ 08723.

- (c) Special local regulations.

(1) No person or vessel may enter or remain in the regulated area unless participating in the event or authorized by the sponsor or Official Patrol. The Patrol Commander may intermittently authorize general navigation to pass through the regulated area. Notice of these opportunities will be given via Marine Safety Radio Broadcast on VHF-FM marine band radio, Channel 22 (157.1 MHz).

- (2) All persons or vessels not registered with the sponsor as participants or not part of the Official Patrol are considered spectators.

(3) The spectator fleet shall be held in a spectator anchorage area north of the regulated area, which shall be marked by sponsor provided patrol vessels flying pennants to aid in their identification.

- (4) No vessel shall proceed at a speed greater than six (6) knots while in Manasquan Inlet during the effective period.

(5) All persons and vessels shall comply with the instructions of the Official Patrol. The operator of a vessel in the regulated area shall stop the vessel immediately when instructed to do so by the Official Patrol and then proceed as directed.

(d) Effective period. This section is effective from 9:30 a.m. to 3:30 p.m. on August 13, 2004.

DATED: July 26, 2004

SALLY BRICE-O'HARA
Rear Admiral, U.S. Coast Guard
Commander, Fifth Coast Guard District

SALLY BRICE-O'HARA
Rear Admiral, U.S. Coast Guard
Commander, Fifth Coast Guard District

